JURY BRANDS BENSEL UNFIT

Graft Investigating Body Denounces State Engineer.

HIS SILENCE SINISTER

Law Tribute and Campaign

Law Tribute and Campaign

Fund Graft.

Silence Bensel's Silence.

The presentment than relates the story of the boatload of the silence of the Board of Water Supply, is branded as unit to hold public office in a presentment handed to Justice Davis in the Supreme Court yesterday by the special Grand Jury which since the first week in November has been investigating aqueduct, barge canal and highway graft and campaign contributions. The presentment does not mention his name, but leaves no doubt as to who is hit in describing him as "the former member of the Board of Water Supply who is now State Engineer."

The reference to Mr. Bensel was ope of seven specific suggestions which the Grand Jurors made to the court as the result of their investigations. Another recommends the reorganization of the Board of Water Supply so that an engineer will have a position where he will be responsible for his recommendation is that the labor law be amended so as to prevent the holding up of contractors' morner than the holding up of contractors' morner than the presentment begins by reviewing the evidence obtained from fity-three witnesses, and then says:

Blecked by Bad Memories.

The presentment begins by reviewing the evidence obtained from fity-three witnesses, and then says:

"Sufficient legal evidence has not been obtained to warrant the finding of turther indictments at this time in connection with this branch of our investigation. Referring to the search into aqueduct graft.] The Grand Jury feels that this result has been developed which shows the existence of conditions which must be eliminated if contraction of the Board of Water Supply, now the strain of the board of the search of the board of the search of the board of the contraction of the evidence obtain for public work are to be let on a fair competitive basis that this Grand Jury competitive basis that this Grand Jury would fail to perform its full duty if it did not advise the court, and through the court the public, of the legislation which in its opinion would go far to remedy the existing conditions and simplify the labors of any future investigation of a similar character which it may be necessary to institute.

"The Grand Jury, therefore, respectfully makes to the court the following of the same to the court the following the same that the company retained the individual a second time, paying him \$10,000.

The presentment criticises the salaried consulting engineers of the Board of Water Supply. It points to the less to the

may be necessary to institute.
"The Grand Jury, therefore, respectfully makes to the court the following specific suggestions:

"I. The Board of Water Supply of the City of New York be reor-ganized in such a manner as shall place the legal responsibility for all construction and all engineering work, coming within its jurisdiction, upon a competent engineer, by what-ever name his office may be called, where the real responsibility now rests, and shall provide for a single administrative head upon whom shall rest the legal responsibility for all matters outside of construction and engineering work engineering work.

"Unfit to Hold Office."

"II. That the former member of the Board of Water Supply who is now the State Engineer and Sur-veyor is unfit to hold public office, it being our opinion that any public officer who is unwilling to waive immunity from prosecution and tes-tify freely before any legally constituted investigating body, with respect to his condut while in public office, is unfit to hold office. "III. That section 3 of article 2 of the labor law be amended so as

specifically provide that in case any charge of violation of its provisions made against a contractor on public work during the progress of the work there shall be a hearing on that charge, with a reasonable op-portunity for the contractor to be heard, and a final determination sustaining the charge by the proper authority before the contractor's pay shall be withheld.

"IV. That a law be enacted similar in some respects to section 63 of article 4 of the legislative law (the article 4 of the legislative law anti-lobbying act) which shall prowide that any person employed for compensation to assist a contractor, in any way whatever, in the procuring of a contract for public work, shall, before taking any action in pursuance of such employment, file with the public officer, board or depart-ment controlling the letting of the contract in question a written notice of his employment and its objects. Such law should contain similar provisions requiring the contractor em-ploying any person for such purpose to alle, in the same place and manner, to file, in the same place and manner, a similar notice, and should provide for the publication of such notices so filed or the sobstance of their contents at the time of the award. Such notices should be retained on file in the office of the officer, board or department in question and constitute a public record of such office. A failure to comply with such large A failure to comply with such law should be made a misdemeanor, pun-ishable by an appropriate penalty and in the case of the contractor by

forfeiture of the contract. Urges New Penal Law.

"V. That a law be enacted similar to Section 37 of the Federal Penal Code and be made applicable to the State of New York or any governmental subdivision thereof. Such a law might take the form of an admittonal subdivision or subdivisions of Section 589 of the Penal Law."

The section in the Federal Penal Code ads as follows: "If two or more perreads as follows: "If two or more per-sons conspire either to commit any of-fence against the United States or to de-fraud the United States in any manner or for any purpose and one or more of

than \$10,000 or imprisoned not more than two years or both."

The presentment then continues with

Its next recommendation:

"VI. That Section 580 of the Penal Law be amended so as to provide that a conspiracy to commit a crime shall be the same grade of crime as the crime which the conspiracy was formed to commit and making a conspiracy to defraud the State or any governmental subdivision thereof under the law suggested under suggestion V. a felony.

"VII. That a law be enacted making it a misdemeanor for any person to solicit a campaign contribution from a contractor engaged on public work or for any contractor to make any campaign contribution to any poits next recommendation:

any campaign contribution to any po-litical organization of the State, a county or municipality therein."

Thinks His Refusal to Waive
Immunity Blocked
Inquiry.

URGES CHANGES IN LAWS

Suggests Way to Stop Labor

Law Tribute and Committed

Law Tribute and Committed

County or municipality therein."

As to criticising the Board of Water Supply the Grand Jury presentment says:

"Some of the men selected as commissioners have been so subject to political influence, or so incompetent, that their action in the awarding of certain contracts has been controlled and directed by political influence. There is no direct evidence before us that this influence has been exerted for the financial benefit of men now officially connected with the said Board of Water Supply, but there is evidence that there have been occasions upon which there is reason to believe that at least one man then officially connected with the said Board of Water Supply profited by such transactions."

Blames Bensel's Silence,

Water Supply. It points to the loss to the city of \$250,000 through what the Grand fury believes was the fault of the engi-

The special Grand Jury was not discharged yesterday. It is expected to continue its work.

Albany, April 21.—"My work shows for for itself, and if that is the sort of feeling some people have it is very curious. I availed myself of my rights under the law."

State Engineer Bensel made this comment to-night on the presentment of the New York county Grand Jury which declared he was unfit to hold office be-

cause he refused to waive immunity. ILLINOIS "WETS" WIN.

Of 200 Saloons in 32 Towns Twothirds Will Stay.

CHICAGO, April 21.—The "drys" and "wets" clashed to-day, when thirty-two Illinois cities and villages voted upon the liquor question. Most of the towns of the State voted April 7, and the elections of to-day completed the list for this spring.

spring.
The principal fights were in the cities of Danville—the home of Uncle Joe Cannon—with a population of over 25,000 and seventy-six saloons; Murphysboro, with thirty-four saloons, and Mendota, with fourteen saloons. In all three of these towns the "wets" won, although the casult was close in Danville and Murrosult was close in Danville and Murrosult. result was close in Danville and Mur-

physboro.
Altegether there are about 200 saloons in the territory in which there was voting to-day. All the returns are not yet in and as usual most of the small communities, since the women have voted, went "dry," but it is probable that at least two-thirds of the saloons will remain, as several other important towns also voted "wet" and none of importance was won by the "drys."

ANDERSON'S BODY SENT HOME.

Wealthy Seattle Man Died Here While on Pleasure Trip.

The body of Alfred Anderson of the State of Washington, who died on Monday at the Waldorf-Astoria, was shipped to Seattle yesterday afternoon. Mr. Anderson was stricken with paralysis on April 15, five hours after alighting from April 15, the barrier from a pleasure April 15, five hours after aligning from a steamship on his return from a pleasure trip abroad. He was taken to the hotel by his travelling companion, E. Tucker. Mr. Anderson left an estate valued at \$5,000,000. He went to Washington from La Crosse, Wis., a poor man in 1889. He was about 59 years old.

HALLERAN TELLS REAL NAMES. Identity of "Phyro" and "White

Hope" Revealed in Divorce Hearing Aloysius G. Halleran, brother-in-law of Borough President Connolly of Queens, who is defendant in a divorce suit, went on the stand in his own defence in the Queens county Supreme Court yesterday. Halleran disclosed the name of the young woman who had been referred to previously as "Phyro" as Miss Gertrude Hatch. Another witness gave the name of the young woman who had been called the "white hope" as Miss Cecella Gordon. Halleran denled positively the charges involving the young women.

Efforts to introduce some of the allegations made by Halleran against Borough Borough President Connolly of Queens,

tions made by Halleran against Borough

Merchandise Here Advertised On Sale To-day.

3



Men's English Gabardine \$10.50 Raincoats,

Macy's prices were \$19.75 and \$22.50

The word "Gabardine" is now applied to a very practical kind of cloth, invented and perfected in England.

The fabric is water-proof and at the same time porous, a seeming contradiction, but a dual characteristic susceptible of proof.

A chemical process "proofs" the cloth, and in dry weather the garment may be worn as a Spring overcoat.

It comes in a convertible model that can be buttoned to the neck.

In raglan or regular shoulders.

The Cost (illustrated) is 50 inches long and has slash or bellows pockets.

The colors are mostly the different tan shades.

Also Lendon-made Raincoats of gabardine at \$10.50.

Men's London-Made Raincoats, Special,

All-Wool Tan Cassimere, Guaranteed Rainproof.

These Coats are made to button close around the neck. Regular or raglan sleeves and slash pockets. The cloth is double texture and all seams are strapped and cemented. The length is 46 inches. All sizes.

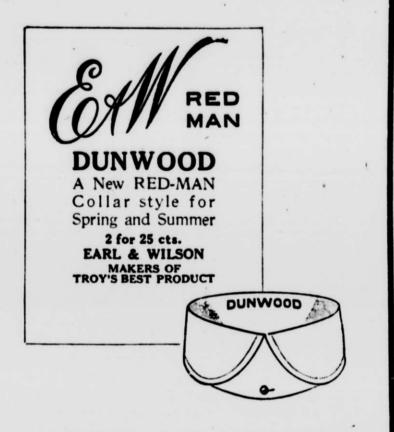
The garments are cut full and roomy.

\$9.75

Look for "Not

Special values.

- R.H. Mary & Co



MOVIE PLAY HEROES BURNED AND MAY DIE

Actors in New Jersey

Fire Scene.

What was to have been a thrilling scene in a movie drama in which two actors actors had to be rescued from the blazing die and the other has little chance of re- | year.

A two story frame building was especially built for the drama near Dender's Hotel. In the second scene Arthur Robinson, a movie actor living at the Long
Acre Hotel, this city, entered the building
dressed in a suit of asbestos and carrying
a large bag made of the fireproof material.
The plot called for Charles Davenport of
308 West 109th street to set fire to the
structure. He was to use the asbestos

Third precinct station, where the younger
Gifford was held yesterday. The only
comment Mr. Jerome had to make on the
case was that "It is too bad."
Young Gifford was taken from the Albany county jail to the District Attorney's office this afternoon and was confronted with his trunk, which has been in
the control of the District Attorthe provided of the provided of the District Attorthe provided of the fireproof material. son, a movie actor living at the Long

structure. He was to use the asbestos bag in escaping. A crowd of 1,000 people, including firemen from nearby cities, gathered to see the actors dash from the fire unhurt. It was about 6 o'clock when the smoke began pouring from the building. Flames

ambulance was called in a hurry from the North Hudson Hospital. At the hospital Davenport was said to be fatally burned. Robinson, the surgeons say, has only an even chance of getting well.

TO CONSECRATE CHAPEL TO-DAY. Portion of Cathedral Built as Me-

mortal by Mrs. G. L. Rives. The chapel built as part of the Cathedral of St. John the Divine by Mrs. George L. Rives of 69 East Seventy-ninth street as a memorial to her father and mother, Augustus Whiting and Sarah Swan Whiting, and to other members of her family, will be consecrated at 11 indeed this receipt this receipt at a service con-

of her family, will be consecrated at 11 o'clock this morning at a service conducted by Bishop David H. Greer.

The chapel, one of seven grouped about the apse of the cathedral, has been named after St. Ambrose, the famous Bishop of Milan. It cost more than \$150,000 and is regarded as perhaps the most beautiful example of ecclesiastical art now to be found in this country. At the request of Mrs. Rives and of her husband, George L. Rives, who is president of the Public Library, a trustee of dent of the Public Library, a trustee of Columbia University and a well known lawyer, the architects, Carrere & Hast-ings, put into the chapel none but Amer-lean workmanship and as far as possible American materials.

Drowns From Capstsed Canoe.

Cartis Wellback of 337 West Fifteenth such parties do any act to effect the object of the conspiracy each of the parties
to such conspiracy shall be fined not more

The such and any act to effect the object of the conspiracy shall be fined not more

The such and again again

JEROME TAKES CASE OF YOUNG GIFFORD

Asbestos Clothes Fail to Protect Will Defend Prep School Youth less than the identical quality Accused of Slaying

Chauffeur.

ALBANY, April 21 .- William Travers Jerome will defend Malcolm Gifford, the son of the wealthy Hudson machinery burning building was turned into a real manufacturer, who is awaiting trial in Warren St. 13th St. tragedy yesterday at Cliffside, N. J. The the Albany county jail for the murder of Frank W. Clute, an Albany chauffeur, on structure. One of the men is expected to the Albany-Troy road on April 1 last

Mr. Jerome was in conference with Malcolm Gifford. Sr., to-night, and he learned from the father just what the youngster MADISON SQ. GARDEN had to say during his father's visit at the AFT., 2:15. NIGHTS AT 8:15. Third precinct station, where the younger

the custody of the District Attorney for several days. Detectives who arrested young Gifford at Chatham, N. Y., last Tuesday erased the school address on and expressed it to "Harold D. Alex-ander, District Attorney, Albany." While the District Attorney is very se-

began pouring from the building. Flames were shooting from the windows, but there was no sign of the actors. Finally the whole building was enveloped in flames.

Then Walter King, one of the promoters in the case, a theory upon which the case, a theory upon which the case, a theory upon which the same to establish the identity of the woman in the case, a theory upon which the Then Walter King, one of the promoters of the drama, and another man rushed into the building. In a moment they returned, dragging out the two actors. An ambulance was called in a hurry from District Attorney little information.

District Attorney rethe report was true.

BOOK OF HOURS BRINGS \$400. Yesterday's Session of Library Sale Has a Total of \$3,677.

In the Pulsford sale of books yesterday afternoon in the Anderson Galleries the principal buyer was Thomas Shea. He gave \$400 for No. 472 of the catalogue, a manuscript book of hours, executed in France in the fifteenth century, and \$300 for No. 473, a manuscript Horse of fif-

for No. 473, a manuscript Horse of fit-teenth century Norman workmanship. George D. Smith paid \$125 for No. 520. Thomas Nash's "Pierce Penilesse, His Suplication to the Divell." R. W. Melville bought No. 362, a large paper edition of Hawthorne, 1883, for \$104, and No. 450, a library edition of Charles Lever, for \$90. F. W. Morris grave \$175 for Fletcher and Shakespeare's "Two Noble Kinsmen." and E. H. Wen-"Two Noble Kinsmen," and E. H. Wendell paid \$104 for No. 444, an extra illustrated life of John Leech. A. W. Mills paid \$89 for Ackerman's "Views of London," No. 451, and R. L. Sanborn paid \$130 for No. 471, a vellum leaf from a faile Antiphony executed for London," No. 471, a vellum leaf from a faile Antiphony executed for London, M. folio Antiphony executed for Louis XII. and Anne of Brittany.

The total for the session was \$3,677.40, making a total for this collection of \$7.594.65. The sale will be continued to-

You, youths!

Why get the tailor habit? It cuts into your allowances so.

And what do you gain?

Here you have a wide range of choice from suits cut from fabrics identical in quality with those of the highest priced tailors.

Here you have models embracing every approved kink of fashion.

Here, too, the opportunity to try on and see the fit before you order.

And as for price not only are our prices moderate but in these smaller sizes which we cut specially for youths (32 to 35 chest), they're very often two or three dollars in our men's suits.

\$16 to \$32.

ROGERS PEET COMPANY. Three Broadway Stores

at 34th St.

AMUSEMENTS.



Sports and Perils of Ranch Life Admission 25c 2 50c Best Res. Seats, With Seats 25c 2 50c, \$1.00, \$1.50. PoP. PRICE. MATS. 25c to 41.50. Box Seats, Afts., \$1.50. Nights, \$2.50, at METROPOLITAN

questioned closely about the contents of the trunk, but it is said he gave the District Attorney little information.

District Attorney Alexander would neither deny nor affirm the report that a revolver had been found in the boy's trunk.

"I do not care to discuss that," the District Attorney replied when asked if the report was true.

Last 5 Performances of Season.
To night at 5:15. Tosca. Farrar; Caruso. Scottl. Pinl-Corsl. Ross.l. Bada. Cond., Polacco.
Thurst at 7:35 Lohengrin. Fremstad. Houser; Berger, Goritz, Witherspoon. Cond., Polacco.
Sat. at 2. Traylata. Hempel; Cristalli, Amato. Sat. at 2. Traylata. Hempel; Cristalli,

CARNEGIE HALL, Sunday Evg., May 3rd. Farewell Concert

CARNEGIE TO-NIGHT AT 8.15 HASTY PUDDING CLUB presents "The Legend of Loravia"
Tickets on sale at Lyceum & Harvard Club.

VITAGRAPH Eway & 44th St.
MR. BARNES OF NEW YORK. 6 Recis
LOVE, LICK & GASOLENE. 3 Recis
THE NEW STENOGRAPHER. Evg. Only

NEW YORK B'way & 45th St. Cont. 1 to 11.
One
Week VICTORIA SIXTY YEARS
Only. VICTORIA & 4 comedy reels.

MCRRAY HILL. Fygs. 8:15. BURLESQUE Mat.



Appropriate Apparel

Every man's aim is to dress like a gentleman. The too common freak styles are probably the result of an unformed taste that seeks conspicuousness rather than appropriateness.

Our Style Models are founded on a Sound Basis of Good Form.

We go as far as it is safe in the direction of novelty; and never lag behind a reasonable conservatism.

In a word, our Suits are designed for the Young Gentleman, not for the "bounder;" for the Man of To-day and not for the old fogy.

From \$20 to \$40.

And, Value considered, they are very low in price.

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Cooper Square at 5th St. Fulton St., Brooklyn.

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ori Irving, Zeida Sears, Sydney Bootlonway Tearle, Ferdinand Gottschalk
THE CLYDE
TRUTH by FITCH All Seats All Performances \$2.00.

39th ST. THEA. BEAT BWAY EVS. 820. LAUGH SEASON NOW OPEN TOO MANY COOKS

PLAYHOUSE 45th, E. of B'way. Evs. 8:30 THE THINGS THAT COUNT

THE RED CANARY 5TH MONTH HIGH JINKS

CORT LAST SPECIAL MATTER TAYLOR
CORT LAST SPECIAL MATTER
LAURETTE TAYLOR
CORT LAST SPECIAL MATTER
LAURETTE TAYLOR & PEG O' MY
LAURETTE TAYLOR & PEG O' MY "HAPPINESS, "THE DAY OF DUPES by J. HARTLEY MANNERS.

THE WHIRL OF THE WORLD SHUBERT THEA. 44th, West of B'wa Evenings 8:15, Mathees 2: 3, MATS—TO-DAY, FRIDAY & SAT BERNARD Houses Crowded DESLYS IN THE BELLE OF BOND STREET

ARDSLEY.

44th ST. THEATRE, Dr. B'way. Phone 72 THE MIDNIGHT GIRL

PRINCESS THEA 39 'ST -- BWA AN ESTABLISHED HIT

TO-DAY MATINES

MAXINE ELLIOTTS THEATRE A SATE 30 MATINEE TO-DAY Best \$1.50



A DETECTIVE COMEDY

LIBERTY 12d St., W. of B'way, Evs.

JULIAN ELTINGE

M. COHAN'S BWAY A 431 St. 10 1 50

POTASH & PERLMUTTER

WALLACK'S B'way & Soth St. Fvs. 820 Matthees To-day & Sot. 220.

THE SPRING FESTIVAL

FESTIVAL BALL TO-NIGHT

JARDINE DANSE 8:30 TO
Mat. trassi littles no sor CLOSING
CARNIVAL OF DISCUSS STATE
Diamond & Delaware Octogenariaa
Dances, etc.

IRVING PLACE THEATRE

SthAVE. Tomorrow, Iriday

Night & Sat. Mat. PURNETRA

COLUMBIA BURLESQUE

"A Treat Not to Be Missed."-Fixe

DUMMY

WINDERMERE'S

Manhattan Op. Ho. Ev. 8:15. Mts. To-day &:
GV POST - OMAR TENTAKU
Evs. & Sat. Mat. 25c to \$1. Wed. Mat. 23-4

NEW YORK'S LEADING THEATRES AND SUCCESSES.

THESE THEATRES BAVE NO DEALINGS WITH THE TYSON CO. BEST SEATS CAN BE OBTAINED AT BOX OFFICES, EMPIRE Broadway & 40 St. Eves. at 8:30.
Matthees To-day & Sat. 2:20.
LAST 2 WEEKS NEW AMSTERDAM | W. 42 St. nr. H wa MAUDE ADAMS IN J. M. Barrie's TO-DAY AT 2:20: TO-NIGHT AT 8:20
The Interna-The Interna-

tional Operatta SAR THE LEGEND OF LEONORA by the author of "Peter Pan."
-MORROW THUR, at 2:15 and FRI, at 3. Also Next MON. TUPS. THUR, & FRI.

LAST & SPECT. "PETER PAN", HUDSON WAtinees TO-DAY & Sat. 29 Friday's Matinee Begins at 3 for the Convenience of Teachers and School Children. THE LYCEUM 45 St., nr. B'way. Eves. 8:30.

LAST 2 WEEKS BILLIE (in **JERRY**

GAIETY B'way & 46th St. Evs. at 8:20. Mats. To-day (Pop.) & Sat. 2:20. BEAT THEYS TO HEATE BELASCO W. 41 St. F. of Wway A SAL LAST . MATTINES WEEK

FRANCES STARR FULTON WASSEL TO PASS 200 WAST & WAST CYRIL MAUDE

HARRIS 42d St., W. of B'way. P.ves. 8-25.
Mathres To-mor's & Sat. 2:20.
THE BUILDING & Sat. 2:20. WEEK THE RULE OF 3 GRAND OP. HO. 25c. to \$1 Mar To-sho Mabel & Edith TALIAFI BRO 23 St. 8 Av. in "YOUNG WISDOM." LUNGACRE W. 48th St. Evs. 8:30. TO-DAY, TO-MORROW & FRIDAY

A PAIR OF SIXES HARRIS ASTOR BWAY 15th St. Evs \$ 20. RAYMOND HITCHCOCK "THE BEAUTY SHOP"

ELTINGE 42d St., W. of B'way, Eys. 8:15. THE YELLOW TICKET F. KEITH'S NEW YORK THEATRES COLONIAL Alice Lloyd, Mary Nash, Wilbur Mack & Nella Walker, DAILY MAT. 25c Avon Comedy 4, others.

ALHAMBRA DAZIE & CO., Rooney & Bent, Juliette Dika, Lambarty MAT, 2re bert & Ball, others.

BRONX149 St. Mr. & Mrs. CARTER DE HAVION, Orfor's Elephants, DAILY MAT, 25e Hines & Fox, others. PALACE JOSE COLLINS, MR. FEANK KEENAN & CO. P. A.N. FOGARIY. 2020 Mat. Seats, 50c. CANA" with Co. of 22: of his

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THE BIG JUBILEE WHITE BROOKLYN AMUSEMENTS. MAJESTIC WAT THE STATE OF PRINCESS THEATRE PLAYERS

HOTELS AND RESTAURANTS.

tures 14th Street, near Fourth Avenue